

### **REMARKS**

In the last Office Action, the Examiner rejected claims 21–23 and 26–28 under 35 U.S.C. § 103(a) as obvious over U.S. Patent 5,631,701 ("*Miyake*") in view of U.S. Patent 6,111,605 ("*Suzuki*"). The Examiner also rejected claims 24 and 25 under 35 U.S.C. § 103(a) as obvious over *Miyake* in view of *Suzuki* and further in view of U.S. Patent 6,085,112 ("*Kleinschmidt*"). By this amendment, Applicant proposes canceling claims 21 and 22 without prejudice or disclaimer of the subject matter contained therein. Applicant therefore considers the Examiner's rejection of claims 21 and 22 moot.

### **Amendment**

By this amendment, Applicant proposes canceling claims 21 and 22 without prejudice or disclaimer of the subject matter contained therein. Applicant also proposes amending claim 23 to depend from claim 27 and amending claim 27 to incorporate the language of claims 21 and 22. Applicant also proposes adding new claim 29.

### **Rejection under § 103(a)**

The Examiner rejected claims 23 and 26–28 under § 103(a) as obvious over *Miyake* in view of *Suzuki*. Because *Miyake* in combination with *Suzuki* fails to render these claims obvious, Applicant respectfully traverses the rejection of these claims.

To establish a prima facie case of obviousness under §103(a), each of three requirements must be met. (1) There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine references or modify a reference. (MPEP § 2143.01.) (2) A

reasonable expectation of success must exist that the proposed modification will work for the intended purpose. (MPEP § 2143.02.) Moreover, both of these requirements must "be found in the prior art, not in applicant's disclosure." (MPEP § 2142.) (3) The reference or references, taken alone or in combination, must disclose or suggest every element recited in the claims. (MPEP §2143.03.) If any one of these elements is missing, there is no prima facie obviousness case.

Proposed claim 27 recites, *inter alia*:

A portable camera being carried by an operator, comprising:

...

wherein the portable camera is adapted to receive second color image data in the form of a second color data format different from the first color data format through the terminal from an external device to generate the second color data format or by accommodating in the memory section a removable memory storing the second color image data generated by the external device,

wherein the first color image data and the second color image data are digital image data including a data set of luminance data and color component data and the first color image data and the second color image data are different in data configuration of the color component data,

wherein the color component data are represented by color difference data and the first color image data and the second color image data are different in data configuration of the color difference data, and

wherein the processing section processes the second color image data having the different configuration of the color difference data in such a way that the color display section displays a color image corresponding to the second color image data generated by the external device.

The Examiner acknowledges that Applicant's invention as described in the specification is not the same as that of the *Miyake* patent. (February 11, 2004 Office

Action at 3, lines 4–6.) The Examiner alleges, however, that Applicant's claim language is currently written broadly enough where a broad interpretation of the *Miyake* patent can read on it. (*Id.*) Applicant disagrees.

*Miyake* discloses a Y/C processor 114 that converts RGB image signals to YC image data. (*Miyake*, col. 3, ll. 63–65.) Thus, *Miyake*'s Y/C processor outputs first color image data in the first color data format to record color data of a photographed color image. In addition, the direction of the arrow on the data bus between Y/C processor 114 and communication I/F 124 in *Miyake*'s Figure 1 makes clear that Y/C processor 114 is not adapted to receive image data from an external device through the communication I/F 124. (*Id.*, Figure 1.) That is, Y/C processor 114 does not process a second color image data generated by the external device. Y/C processor 114 also does not process a second color image data having a different configuration of the color difference data generated by the external device.

Claim 27, by contrast recites, “*wherein the portable camera is adapted to receive second color image data in the form of a second color data format different from the first color data format through the terminal from an external device to generate the second color data format or by accommodating in the memory section a removable memory storing the second color image data generated by the external device, wherein the first color image data and the second color image data are digital image data including a data set of luminance data and color component data and the first color image data and the second color image data are different in data configuration of the color component data, wherein the color component data are represented by color difference data and the first color image data and the second color image data are different in data*”

configuration of the color difference data.” This is nowhere taught or suggested by *Miyake*.

By way of example, the first color data format (standard mode) to record color data of a photographed image may be YCbCr 4:2:0 and the second color data format may be YCbCr 4:2:2 (see, e.g., the specification at page 15, line 23—page 16, line 16, see also the specification at pages 2 and 3 and Figures 2(b) and 2(c) regarding the difference of the color data format). That is, the second color image data may have a different configuration of the color difference data from that of the first color image data.

By way of further example, the processing section of the present invention may process the second color image data having the different configuration of the color difference data in such a way that the color display section displays a color image corresponding to the second color image data generated by the external device.

That is, the first color image data and the second color image data may be digital image data including a data set of luminance data and color component data and the first color image data and the second color image data may be different in data configuration of the color component data. Also, the color component data may be represented by color difference data and the first color image data, and the second color image data may be different in data configuration of the color difference data.

A conventional portable camera processing section may produce only one type of color difference data as a color component data of the first color image data and a color display section displays a color image based on the only one type of color difference data. By contrast, exemplary embodiments of the present invention are adapted to receive second color image data through the terminal from an external

device or by accommodating in the memory section a removable memory storing the second color image data generated by the external device.

In the exemplary embodiments of the present invention, the second color image data has a different type of color difference data from the one type of color difference data of the first color image data. In other words, the second color image data has a different configuration of the color difference data from that of the first color image data. For example, the first color data format (standard mode) to record color data of a photographed image is YCbCr 4:2:0 and the second color data format is YCbCr 4:2:2, (see, e.g., the specification at page 15, line 23–page 16, line 16, see also the specification at pages 2 and 3 and Figures 2(b) and 2(c) regarding to the difference of the color data format).

The processing section of exemplary embodiments of the present invention processes the second color image data having the different configuration of the color difference data in such a way that the color display section displays a color image corresponding to the second color image data generated by the external device.

In *Suzuki*, CPU 113 determines the flow of picture image information depending on the condition of the printer such as being ready for printing or being ready for maintenance. (*Suzuki*, col. 16, line 67–col. 17, line 33.)

*Suzuki*, however, fails to teach or suggest, “*wherein the portable camera is adapted to receive second color image data in the form of a second color data format different from the first color data format through the terminal from an external device to generate the second color data format or by accommodating in the memory section a removable memory storing the second color image data generated by the external*

*device*, wherein the first color image data and the second color image data are digital image data including a data set of luminance data and color component data and the first color image data and the second color image data are different in data configuration of the color component data, wherein the color component data are represented by color difference data and the first color image data and the second color image data are different in data configuration of the color difference data.” *Suzuki* teaches nothing about the structure to receive second color image data having the different configuration of the color difference data generated by the external device. That is, *Suzuki* fails to compensate for the deficiencies of *Miyake*.

Moreover, although *Suzuki* teach two different compression ratio by using different masks (*Suzuki*, col. 6, lines 53–67), *Suzuki* teaches nothing about the technique to handle different color formats.

Accordingly, neither reference teaches or suggests, ““*wherein the portable camera is adapted to receive second color image data in the form of a second color data format different from the first color data format through the terminal from an external device to generate the second color data format or by accommodating in the memory section a removable memory storing the second color image data generated by the external device*, wherein the first color image data and the second color image data are digital image data including a data set of luminance data and color component data and the first color image data and the second color image data are different in data configuration of the color component data, wherein the color component data are represented by color difference data and the first color image data and the second color image data are different in data configuration of the color difference data.” Further,

neither reference teaches or suggests handling different color formats or handling different color formats in color difference data. Thus, *Miyake* and *Suzuki* individually and in combination fail to teach or suggest each element recited in claim 27. Absent such a disclosure, there is no prima facie obviousness basis for rejecting the claim. Applicant therefore submits claim 27 is allowable as are claims 23, 26, and 28 at least because of the dependence of each from allowable claim 27.

The Examiner also rejected claims 24 and 25 under § 103(a) as obvious over *Miyake* in view of *Suzuki* and further in view of *Kleinschmidt*. *Kleinschmidt*, however, fails to compensate for the deficiencies of claims 27.

Because *Kleinschmidt* does not compensate for the deficiencies of *Miyake* and *Suzuki*, any combination of *Kleinschmidt* with *Miyake* and *Suzuki* cannot render the subject matter of claim 27 obvious. Thus, claims 24 and 25 are also allowable at least because of their dependence from claim 27.

#### **Claim 29**

Because proposed new claim 29 ultimately depends from allowable claim 27, Applicant submits this claim is likewise allowable, at least because of its dependence from allowable claim 27.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims in condition for allowance. Applicant submits that the proposed amendments of claims 23 and 27 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in

the claims as examined. Applicant also submits that proposed new claim 29 does not raise new issues, as it depends from allowable claim 27. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

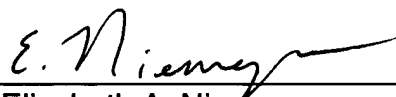
In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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